

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ACQIS LLC

Plaintiff,

vs.

**INTERNATIONAL BUSINESS
MACHINES CORP.**

Defendant.

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**CASE NO. 6:09 CV 148
PATENT CASE**

VERDICT FORM

In answering these questions, you are to follow all of the instructions I have given you in the Court's Charge.

1. Did ACQIS prove by a preponderance of the evidence that IBM infringed any of the asserted claims of the ACQIS patents identified below?

Answer "Yes" or "No" for each listed claim:

'415 Patent

Claim 12 Yes

Claim 74 Yes

'416 Patent

Claim 56 Yes

'779 Patent

Claim 16 Yes

Claim 26 Yes

Claim 57 Yes

2. For each asserted claim of the patents-in-suit, did IBM prove by clear and convincing evidence that such claim is invalid?

Answer "Yes" or "No" for each invalidity theory.

'415 Patent	Anticipation	Obviousness
Claim 12	No	No
Claim 74	No	No

'416 Patent	Anticipation	Obviousness
Claim 56	No	No

'779 Patent	Anticipation	Obviousness
Claim 16	No	No
Claim 26	No	No
Claim 57	No	No

3. What sum of money, if paid now in cash, do you find from a preponderance of the evidence would fairly and reasonably compensate ACQIS for IBM's past infringement? Only award damages for those claims you find infringed by IBM and not proven invalid by IBM. In other words, do not award damages for claims that you did not find infringed by IBM or those claims where IBM proved the claim invalid.

Answer: \$ 9,094,148

Signed this 23 day of February, 2011



JURY FOREPERSON